

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 573\*

Short Title: Stormwater Management Fee Uses. (Public)

Sponsors: Representatives Jeter, Samuelson, and R. Moore (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Finance.

April 4, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO BROADEN THE PERMITTED USE OF STORM WATER FEES.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 153A-277(a) reads as rewritten:

5 "(a) The General Assembly finds it is in the best interest of the residents of North  
6 Carolina to promote and encourage the funding and implementation of stormwater management  
7 programs within the State in order to protect and enhance surface water quality and quantity to  
8 reduce the chances for loss of life and damages to property due to flooding. The General  
9 Assembly also finds that a county has an integral role in furthering this public purpose by  
10 promoting and encouraging the funding and implementation of stormwater management  
11 programs within the county's territorial jurisdiction in order to reduce reliance on emergency  
12 response services, reduce negative financial impacts to the community and the public from  
13 flooding (i.e., the cost of financial assistance programs, reduced productivity, maintain  
14 sustainable employment, etc.), increase the number of code compliant homes and businesses,  
15 increase infiltration of stormwater into the ground, and reduce pollutants from entering the  
16 streams. In furtherance of this public purpose, within its stormwater management program, a  
17 county may fund and/or establish a program that not only purchases property and demolishes  
18 flood prone buildings but may also implement flood damage reduction techniques that result in  
19 improvements of private property, including, but not limited to (i) elevating structures and/or  
20 their associated components, (ii) demolishing flood prone structures, and (iii) retrofitting and/or  
21 floodproofing flood prone structures, under the following circumstances:

- 22 (1) It has obtained the private property owner's written consent to the flood  
23 reduction improvements; and  
24 (2) It has determined that improving the stormwater system is either not  
25 technically feasible or not cost-effective thereby providing savings to the  
26 stormwater fund.

27 Also, in furtherance of this purpose, a A-county may establish and revise from time to time  
28 schedules of rents, rates, fees, charges, and penalties for the use of or the services furnished by  
29 a public enterprise. Schedules of rents, rates, fees, charges, and penalties may vary for the same  
30 class of service in different areas of the county and may vary according to classes of service,  
31 and different schedules may be adopted for services provided outside of the county. A county  
32 may include a fee relating to subsurface discharge wastewater management systems and  
33 services on the property tax bill for the real property where the system for which the fee is  
34 imposed is located."

35 **SECTION 2.** This act is effective when it becomes law.



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